

Attorney Docket No. 103864-700RII

PATENT**REMARKS**

In the Office Action, the Examiner noted that claims 1-4, 6, 8-14, 16, 18-31, 33-44, 46-59, 61-76, 78-90, 114, 115, 118-123, 148, 149, 153-162, 164 and 165 are pending in the application, and that ALL claims 1-4, 6, 8-14, 16, 18-31, 33-44, 46-59, 61-76, 78-90, 114, 115, 118-123, 148, 149, 153-162, 164 and 165 are allowed. Accordingly, no claims have been amended.

Response to Specific Points in Office Action Dated May 12, 2005

Claims 1-4, 6, 8-14, 16, 18-31, 33-44, 46-59, 61-76, 78-90, 114, 115, 118-123, 148, 149, 153-162, 164 and 165 stand rejected under 35 U.S.C. 251 as being based on a defective reissue declaration.

In the Office Action, the Examiner indicated that all pending claims are allowed, subject to the filing of a Supplemental Reissue Declaration. Applicant hereby encloses the requested Supplemental Declaration. Withdrawal of this rejection is respectfully requested.

Specifically, MPEP 1414 states the following "In identifying the error, it is sufficient that the reissue oath/declaration identify a single word, phrase or expression in the specification or in an original claim, and how it renders the original patent wholly or partly inoperative or invalid."

In the present application, the Supplemental Reissue Declaration includes numerous changes to claim wording for the original claims, as well as rewriting the claim combinations of various new claims. In addition, the Reissue Declaration includes the statement that "all errors" arose without deceptive intent. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant notes that due to formatting differences of printers for some of the inventors, the specific signature locations have been slightly altered.

Attorney Docket No. 103864-700RI1

PATENTCONCLUSION

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, Applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples Applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicants assert that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicants have emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicants do not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicants are providing examples of why the claims described above are distinguishable over the cited prior art.

Applicants wish to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Moreover, Applicants reserve the right to pursue the original subject matter recited in the present claims in a continuation application.

Any narrowing amendments made to the claims in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present

Attorney Docket No. 103864-700R11

PATENT

claims; rather merely Applicants' best attempt at providing one or more definitions of what the Applicants believe to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicants are seeking for this application. Therefore, no estoppel should be presumed, and Applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents.

Further, Applicants hereby retract any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintain the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, Applicants specifically retract statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application.

For all the reasons advanced above, Applicants respectfully submit that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicants respectfully submit that the Application is in condition for allowance, and that such action is earnestly solicited.

Attorney Docket No. 103864-700RI1

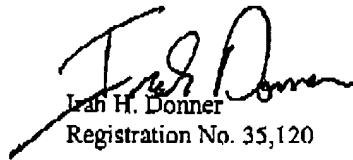
PATENTAUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219.

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,

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